

THE  
STATUTES  
OF  
THE REALM.

PRINTED BY COMMAND  
OF HIS MAJESTY  
KING GEORGE THE THIRD.

IN PURSUANCE OF AN ADDRESS OF  
THE HOUSE OF COMMONS  
OF GREAT BRITAIN.

From Original Records and Authentic Manuscripts.

VOLUME ONE

EXHIBIT C (Rivas)

A.D.1351-2.

25° EDW. III. Stat. 5. c.1, 2.

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Statutu apud Westm̄ in p̄liamento in festo S'ci h̄llarii anno regni  
Regis E. t'cii vicesimo q'into tento, f'cm.

In Margine  
Rotuli.

A STATUTE made at WESTMINSTER ;  
In the Parliament holden in the Feast of Saint Hilary ;  
In the TWENTY-FIFTH Year of the Reign of K. EDWARD the THIRD.

Ex magno Rot. Stat. in Turr. Lond. m. 16.

STATUTE THE FIFTH.

A U plement somonz a Westm̄, en la feste de Seint  
Hiller lan du regne n̄re Seign' le Roi Edward  
Dengleŕre vintisme quint, & de France douzisme,  
n̄re f' le Roi del assent des Prelatz, Ducs, Countes,  
Barons, & de tout la comunalte de son Roialme  
Dengleŕre, au dit plement somons, al hon' de Dieu  
& de Seinte Eglise, & en amendement de son dit Roi-  
alme, ad ordeine & establi les choses soutzscriptes.

En p'mes, p'ce q̄ tresg'untz & tresout'geouses da-  
mages & grevances sont faites au poeple p les pno's  
& p'veo's des vitailles p les hosteux nre f' le Roi,  
ma dame la Roigne, & de lo' enfantz, Si est acorde  
& assentuz en le dit plement, q̄ les pno's & p'veio's  
des bledz p les ditz hosteux les pignent p mesure  
rase, selonc ceo q̄ hōme use pmy le Roialme. Et q̄  
touz bledz, feyns, litere & bestaill, & touz au's vi-  
tailles & choses quecūques, queles sont aprendre p me-  
mes les hosteux, soient p'sez a la v̄roie value, p les  
Conestables & au's bons gentz des villes ou tieles  
prises se feront, sanz ce q̄ p manaces, ou duresces  
soient les preisours chacez a mettre autre pris q̄ lour  
ŕement ne voet, & come curt cōement en les p'scheins  
marchees : et q̄ entre les Purveours et ceux des queux  
les biens ŕont prises, en la p'sence des Conestables &  
preisours, soient tailles tantost faites, saunz ceo q̄ les  
gentz des queux les biens ŕont prises soient aillours  
traitz ou t'vaillez ; & meismes les tailles ensealez des  
seals les pnours des choses issint prises, p les queles  
tailles gre soit fait as ceux des queux les choses ŕont  
issint prises : et si nul pnour ou P'veour p les ditz  
hosteux face p autre mañe, soit meintenat arestu p  
la villee ou la prise ŕra faite, et mesne a la p'scheine  
gaole, et si de ceo soit atteint, soit la fait de lui come  
de laron, si la quantite des biens le demand ; solonc  
ceo qen un estatut fait en temps meisme n̄re f' le Roi  
lan de son regne quint, & en un autre estatut fait  
en temps laiel n̄re Seign' le Roi s' tieles prises, est con-  
tenuz plus au plein : et q̄ desore soit contenuz es  
cōmissions des tieux P'veours et pnours, lentent et la  
peine contenuz en cest estatut : et q̄ nule cōmission soit  
faite forsq̄ seulement souz les g'nt ou prive sealx le  
Roi ; ne q̄ nul hōme soit tenuz de obeier a autre cōmis-  
sion nen autre mañe q̄ nest dit en avant ; et q̄ meisme  
lestatut tiegne lieu en toutz pointz dev's chescun  
pnour & p'veour, de chescune mañe des vittailles en  
chescune ptie du Roialme de quele condition qil soit.

Auxint p'ceo q̄ diŕses opinions ount este einz ces  
heures queu cas, q'nt il avient doit estre dit treson, &  
en quel cas noun, le Roi a la requeste des Seign's & de  
la Cōe, ad fait declarissement q̄ ensuit, Cest assavoir ;

A T the Parliament summoned at Westminster in the  
Feast of St. Hilary, the Year of the Reign of our  
Lord King Edward the Third [after the Conquest,]  
of England the Five and twentieth, and of France the  
Twelfth ; our said Lord the King, by the assent of the  
Prelates, Earls, Barons, and of all the Commonalty of  
his Realm of England summoned to the Parliament, to  
the honour of God and Holy Church, and in Amend-  
ment of his said Realm, hath ordained and established  
the Things underwritten.

FIRST, Forasmuch as great and outrageous damage  
and grievance hath been done to the People by the  
Takers and Purveyors of Viŕtuals, for the Houses of  
our Sovereign Lord the King, the Queen, and their  
Children ; It is accorded and assented in the said Parlia-  
ment, That the Takers (') of Corn for the said Houses  
shall take the same by Measure striked according as it  
is used through the Land. And that such Corn, Hay,  
Litter, Bestall and all other Viŕtuals and Things, which  
shall be taken for the said Houses, shall be [taken ']  
by the very Value, by the Constable and other good  
People of the Towns where such Taking shall be made,  
without that that the Praisers by Menace or Duress  
shall be driven to set any other Price than their Oath  
will, and as commonly runneth in the next Markets.  
And that betwixt the Purveyors and them whose Goods  
shall be taken in the presence of the Constables and  
Praisers, Tallies be made incontinently, without that that  
the People whose Goods shall be taken, shall be drawn  
or travelled elsewhere, and the same Tallies sealed with  
the Seals of the Takers of the Things so taken, by  
which Tallies Gree shall be made to them whose Goods  
shall be so taken ; and if any Purveyor or Taker for  
the said Houses, do in any other Manner, he shall be  
[maintenant '] arrested by the Town where the Taking  
shall be made, and brought to the next Gaol ; and if  
he be thereof attainted, it shall be done of him as of a  
Thief, if the Quantity of the Goods the same require ;  
according as in a Statute made in the Time of our So-  
vereign Lord the King that now is, the Fifth Year of his  
Reign, and in another Statute made in the Time of the  
King's Grandfather upon such Takings, is contained  
more at the full : and that from henceforth in the  
Commissions of such Takers and Purveyors, the Intent  
and Pain limited in this Statute shall be contained :  
and that no Commission be made, but only under the  
King's great Seal or Privy Seal ; nor that no Man be  
bound to obey [any such Commissions, other or in what  
Manner '] than is aforesaid ; and that the same Statute  
take place in all Points against every Taker and Pur-  
veyor of every Manner of Viŕtual in every part of the  
Realm, of what Condition soever he be.

ITEM, Whereas divers Opinions have been before  
this Time [in what Case Treason shall be said, and in  
what not ; '] the King, at the Request of the Lords and  
of the Commons, hath made a Declaration in the Man-  
ner as hercafter followeth, that is to say ; When a Man

' and Purveyours  
' prayed

' immediately

' any other Commyssions, or in other manner MS. Tr. 2.

' what case should be adjudged Treason, and what not ;

I.  
Corn shall  
be taken by  
Purveyors  
by Measure  
striked

Things taken  
by Purveyors  
shall be  
appraised  
at the very  
Value.

Tallies of  
the Goods  
taken.

Punishment  
for undue  
Purveyance  
as under Stat.  
5 E. III. c. 2.

Purveyors'  
Commissions  
shall be under  
the Great or  
Privy Seal.

II.  
Declaration  
what Offences  
shall be  
adjudged  
Treason.

Compassing the Death of the King, Queen, or their eldest Son; violating the Queen, or the King's eldest Daughter unmarried, or his eldest Son's Wife; levying War; adhering to the King's Enemies; counterfeiting the King's Seals, or Money; importing counterfeit Money; killing the Chancellor, Treasurer, or Judges in Execution of their Duty. The King shall have the Forfeiture of all the Offenders' Lands. Petit Treason. Forfeiture of the Lands to the Lords. New Questions of Treasons shall be decided in Parliament.

Certain Offences not Treason.

In such Cases already happened, the Chief Lords shall have the Escheats.

Saving the King's Year and Waste.

Scire facias to Tenants, &c.

III. Challenge of an Indictor upon an Inquest.

doth compass or imagine the Death of our Lord the King, or of our Lady his [Queen'] or of their eldest Son and Heir; or if a Man do violate the King's [Companion,'] or the King's eldest Daughter unmarried, or the Wife (1) the King's eldest Son and Heir; or if a Man do levy War against our Lord the King in his Realm, or be adherent to the King's Enemies in his Realm, giving to them Aid and Comfort in the Realm, or elsewhere, and thereof be [probably'] attainted of open Deed by [the People'] of their Condition: And if a Man counterfeit the King's Great or Privy Seal, or his Money; and if a Man bring false Money into this Realm, counterfeit to the Money of England, as the Money called Lushburgh, or other, like to the said Money of England, knowing the Money to be false, to merchandise or make Payment in Deceit of our said Lord the King and of his People; and if a Man slea the Chancellor, Treasurer, or the King's Justices of the one Bench or the other, Justices in Eyre, or Justices of Assise, and all other Justices assigned to hear and determine, being in their Places, doing their Offices: And it is to be understood, that in the Cases above rehearsed, [that'] ought to be judged Treason which extends to our Lord the King, and his Royal Majesty: And of such Treason the Forfeiture of the Escheats pertained to our Sovereign Lord, as well of the Lands and Tenements holden of other, as of himself: And moreover there is another manner of Treason, that is to say, when a Servant slayeth his Master, or a Wife her Husband, or when a Man secular or Religious slayeth his Prelate, to whom he oweth Faith and Obedience; and [of such Treason the Escheats ought to pertain'] to every Lord of his own Fee: And because that many other like Cases of Treason may happen in Time to come, which a Man cannot think nor declare at this present Time; It is accorded, That if any other Case, supposed Treason, which is not above specified, doth happen (2) before any Justices, the Justices shall tarry without any going to Judgement of the Treason, till the [Cause'] be shewed [and declared before the King and his Parliament,'] whether it ought to be judged Treason or [other'] Felony. And if percase any Man of this Realm ride armed [covertly'] or secretly with Men of Arms against any other, to slay him, or rob him, or take him, or retain him till he hath made Fine or Ransom for to have his Deliverance, it is not the Mind of the King nor his Council, that in such Case it shall be judged Treason, but shall be judged Felony or Trespass, according to the Laws of the Land of old Time used, and according as the Case requireth. And if in such Case, or other like, before this Time any Justices have judged Treason, and for this Cause the Lands and Tenements have comen into the King's hands as Forfeit, the chief Lords of the Fee shall have the Escheats of the Tenements holden of them, whether that the same Tenements be in the King's hands, or in others, by Gift or in other Manner; Saving always to our Lord the King the Year, and the Waste, and the Forfeitures of Chattels, which pertain to him in the Cases above named; and that [the Writs'] of Scire facias be granted in such Case against the Land-tenants, without other Original, and without allowing [any Protection'] in the said Suit; and that of the Lands which be in the King's hands, Writs be granted to the Sheriffs of the Counties where the Lands be, to deliver them out of the King's hands without Delay.

ITEM, It is accorded, That no Indictor shall be put in Inquests upon Deliverance of the Indictors of Felonies or Trespass, if he be challenged for that same cause by him which is so indicted.

1 Wife 1 of  
2 proveably MS. Tr. 2. 3 People 4 it  
5 such Manner of Treason giveth Forfeiture of Escheats  
6 of new, MS. Tr. 2. 7 Case  
8 before the King in his Parliament, and it be declared  
9 else 10 openly  
11 Writs 12 the Protection of our Lord the King

q'nt hōme fait compasser ou ymaginer la mort n're Seign' le Roi, ma dame sa compaignie, ou de leur fitz primer & heir; ou si hōme violast la compaignie le Roi, ou leisnesce filz le Roi nient marie, ou la compaignie leisne fitz & heir du Roi; & si hōme leve de guerre contre n're dit Seign' le Roi en son Roialme, ou soit aherdant as enemys n're Seign' le Roi en le Roialme, donant a eux eid ou confort en son Roialme ou p aillours, & de ceo p'ablement soit atteint de o'it faite p gentz de leur condicion: et si hōme contre-face [les g'nt ou prive sealx le Roi,'] ou sa monoie, et si hōme apport faus monoie en ceste Roialme contrefaite a la monoie Dengle're, sicome la monoie appelle [Lucynburgh'] ou autre semblable a la dite monoie Dengle're, sachant la monoie estre faus, p' marchander, ou paiement faire en deceit n're dit Seign' le Roi & son poeple; et si hōme tuast Chancellor, Tresorer, ou Justice n're Seign' le Roi del un Baunk ou del autre, Justice en Eir & des assises & toutes aut's Justices assignez a oier & i'miner esteiantz en leurs places en fesantz leurs offices: et fait a entendre qen les cases suisonnez doit estre ajugge treson [q' sestent'] a n're Seign' le Roi & a sa roial majeste; et de tiele man're de treson la forfait'e des eschetes apptient a n're Seign' le Roi, si bien des Pres & teñz tenuz des aut's, come de lui meismes: et ovesq, ceo il yad autre man're de treson, cest assavoir q'nt un d'vant tue son meistre, une fēme q' tue son baron, q'nt hōme seculer ou de religion tue son Prelat, a qi il doit foi & obedience; & tiele man're de treson donn forfait'e des eschetes a chescun Seign' de son fee ppre: et p' ceo q' plusurs aut's cases de semblable treson p'ront escheer en temps a venir, queux hōme ne p'ra penser ne declarer en p'sent, assentu est q' si autre cas supposee treson q' nest especifie p amount aviegne de novel devant ascunes Justices, demoerge la Justice saunz aler au juggement de treson, tanq, p devant n're Seign' le Roi [en'] son plement soit le cas monstree & desclarre le quel ceo doit estre ajugge treson ou autre felonie. Et si p cas ascun hōme de cest Roialme chivach arme descovert ou secrement od gentz armees contre ascun autre, p' lui tuer ou derober, ou p' lui pndre & retenir tanqil face fyn ou raunceon p' sa deliverance avoir, nest pas lentent du Roi & de son conseil q' en tiel cas soit ajugge treson, einz soit ajugge felonie ou t'p'as solonc la lei de la t're auncienement usee, & solonc ceo q' le cas demand: et si en tieu cas, ou autre semblable devant ces heures, ascune Justice eit ajugge treson, & p celle cause les Pres & teñz soient devenuz en la main n're Seign' le Roi come forfaitz, eient les chiefs Seign's de fee leurs eschetes des teñz de eux tenuz, le quel q' les teñz soient en la main n're Seign' le Roi, ou en la main des aut's, p donn ou en autre man're; Sauvans totefoitz a n're Seign' le Roi lan & le wast, & aut's forfait'es des chateux q' a lui attenent en les cases suisonnez; et q' briefs de Scire fac' vs les Pres tenantz soient g'ntez en tieu cas, saunz autre originale & saunz alower la pteccion n're Seign' le Roi en la dite seute; et q' de les Pres q' sont en la main le Roi, soit g'nte brief as viscontes des Countees la ou les Pres sront de ostier la main le Roi saunz outre delaie.

Auxint acorde est, q' nul enditour soit mys en enquest s' la deliv'ance del endite de t'p'as ou de felonie, sil soit chalange p tiele cause p celui qest endite.

1 le grant seal le Roi, Rot. Parl. 25 E. 3. P. II. nu. vij. (17.)  
2 Lussburgh Rot. Parl. 3 q' ce estent Rot. Parl.  
3 & Rot. Parl.